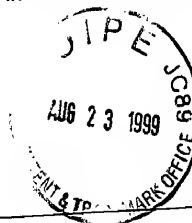


#3

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37-CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN			Docket No. 475.08.423
Serial No. 09/283,431	Filing Date April 1, 1999	Patent No.	Issue Date
Applicant/ Hybridon, Inc. Patentee:			
Invention: Mixed-Backbone Oligonucleotides Containing Pops Blocks to Obtain Reduced Phosphorothioate Content			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:</p> <p><input checked="" type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <u>Hybridon, Inc.</u></p> <p>ADDRESS OF CONCERN: <u>155 Fortune Boulevard, Milford, Massachusetts 01757</u></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above.</p> <p><input checked="" type="checkbox"/> the application identified above.</p> <p><input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.



FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

FULL NAME

ADDRESS

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

CHERYL M. NORTHRUP

TITLE OF PERSON SIGNING

VICE PRESIDENT &amp; GENERAL COUNSEL

OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING:

HYBRIDON, INC., 155 FORTUNE BLVD,  
MILFORD, MA 01757

SIGNATURE:

Cheryl M. Northrup

DATE:

August 18, 1999



#3

**DECLARATION AND POWER OF ATTORNEY**  
(Attorney Docket No: 475.08.423)

As below-named inventors, We hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe that we are the original, and only inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MIXED-BACKBONE OLIGONUCLEOTIDES CONTAINING POPS  
BLOCKS TO OBTAIN REDUCED PHOSPHOROTHIOATE CONTENT**

the specification of which (check only one):

☐ is attached hereto.

☒ was filed as United States Patent Application  
Serial No. 09/283,431  
on April 1, 1999  
and was amended  
on \_\_\_\_\_  
(if applicable)

☐ was filed as PCT Patent Application  
Serial No. \_\_\_\_\_  
on \_\_\_\_\_  
and was amended under PCT Article 19  
on \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR §1.56(a) and §1.56(b). We also acknowledge the duty to disclose all information which is material to the patentability as defined in 37 CFR §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:



**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS  
UNDER 35 U.S.C. §119(a)-(d) or 365(b), or 365(a):**

COUNTRY (if PCT indicate PCT)	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. §119 (YES/NO)

I hereby claim benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/080,321	04/01/1998	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120 or 365(c):**

APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS: (PATENTED, PENDING OR ABANDONED)

**POWER OF ATTORNEY:** As named inventors, We hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James B. Lampert	Reg. No. 24,564
Wayne M. Kennard	Reg. No. 30,271
Michael J. Bevilacqua	Reg. No. 31,091
Holly L. Baker	Reg. No. 31,321
Henry N. Wixon	Reg. No. 32,073
Donald R. Steinberg	Reg. No. 37,241
Wayne A. Keown, Ph.D.	Reg. No. 33,923
Ann-Louise Kerner, Ph.D.	Reg. No. 33,523



Michael A. Diener	Reg. No. 31,122
Colleen Superko	Reg. No. 39,850
Richard Goldenberg	Reg. No. 38,895
Gretchen Rice, Ph.D.	Reg. No. 37,429
Peter M. Dichiaro	Reg. No. 38,005
Scott M. Alter	Reg. No. 39,850
Barbara A. Barakat	Reg. No. 32,190
Edward D. Grieff	Reg. No. 38,898
Jason A. Reyes	Reg. No. 41,513
Rajesh Vallabh	Reg. No. 35,761
Nancy Chiu, Ph.D.	Reg. No. 43,545
Keum J. Park	Reg. No. 42,059
Janice M. Klunder, Ph.D.	Reg. No. 41,121

the mailing address and telephone number of each of whom is HALE AND DORR, 60 State Street, Boston, Massachusetts 02109, (617) 526-6000.

Send Correspondence to:  
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Direct Telephone Calls to:  
Wayne A. Keown, Ph.D.

HALE AND DORR LLP  
60 State Street  
Boston, Massachusetts 02109

(617) 526-6000  
(617) 526-5000

Wherefore we petition that letters patent be granted to us for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe our names to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Wen-Qiang Zhou

Inventor's signature

Date 08/02/1999

Residence: 5 Place BelleRive, Apt. 1604, Laval, Quebec, Canada H7V, 1B3

Citizenship: P.R. of China

Post Office Address: 5 Place BelleRive, Apt. 1604, Laval, Quebec, Canada H7V, 1B3



Full name of second inventor: Sudhir Agrawal

Inventor's signature Sudhir Agrawal Date Aug. 2.99.

Residence: 61 Lamplighter Drive, Shrewsbury, Massachusetts 01545

Citizenship: India

Post Office Address: 61 Lamplighter Drive, Shrewsbury, Massachusetts 01545